

# Board of Respiratory Care Examiners Board Meeting Minutes

## Regularly Scheduled Meeting of November 17, 2011

Thursday, November 17, 2011, 9:00 a.m.  
Basement Conference Room B-1  
1400 W. Washington, Phoenix, AZ 85007

**Board Members Present:**

Chair Jeanette Kieffer  
Vice Chair John O'Donnell  
Charles Ramirez  
David Sanderson  
Tracy Cagan  
Jose Gonzales

**Board Members Absent:**

Becky Brimhall

**Staff Present:**

David Geriminsky  
Valarie Wallace

**Legal Counsel:**

Nancy Beck

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Authored by: Valarie Wallace  
Recommended by: David Geriminsky  
Approved by the Board on November 17, 2011

# Board of Respiratory Care Examiners Board Meeting Minutes

Regularly Scheduled Meeting of November 17, 2011

## CALL TO ORDER

The Meeting was called to order at 9:05 a.m., by Board Chair Jeanette Kieffer.

## CONSENT AGENDA

### CONSENT AGENDA:

All items listed with “C” are considered to be routine or have been previously reviewed by the Board of Respiratory Care Examiners, and will be enacted by one motion. There will be no separate discussion of these items unless a Board member so requests; in which event the item will be removed from the Consent Agenda, and placed in the Regular Agenda under Item R-2.

### MOTION ON THE CONSENT:

There being no items requested to be removed, a motion was made by **David Sanderson** to approve all items on the Consent Agenda. **Jeanette Kieffer** seconded. **The Motion Passed**

#### C-1 APPROVAL OF MINUTES

Recommended for Approval

October 20, 2011

November 4, 2011 Resume Review Committee

November 8, 2011 Resume Review Committee

#### C-2 ACTION ON APPLICATIONS FOR LICENSURE

##### i. Permanent License Issuance

Recommended for approval by the Executive Director

Melissa Acosta

Alexandrea Eckhoff

Tighe Ellis

Rachel Gauger

Sandra Gaines

Lori Greenbeck

Trey Gridley

Dustin Hughes

Frasha Hussain

Jeffrey Katz

Michael Korzeniewski

Chelsea O'Dell

Patti Orbin

Shandi Rea

Vicki Reed

Henry Reyes

Morgan Reynolds

Craig Schneiderwind

James Tatham

Stephen Yoder

##### ii. Re-Application for Permanent Licensure

Recommended for approval by the Executive Director

Heather Wood

**iv. Ratification of Temporary License Issued pursuant to A.R.S. § 32-3521**

**Recommended for Ratification by the Executive Director**

Hollie Baggs	Sherri Burns	Heather Cooper	Jeovan Garcia
Mikel Kuhn	Jamie Lawrence	Rita Lazerott	Michael Mendoza
Matthew Mentzer	Mindy Merritt	John Moorhead	Janjira Pallanes
Leigh Parker	Cole Sexson	Kirk Shim	Daniel Varela
Bruce White	Kathie Yarman	Daisy Zavala	

**iv. Ratification of Temporary License Extension Issued pursuant to A.R.S. § 32-3521**

**Recommended for Ratification by the Executive Director**

None

**C- 3 ACTION ON ADMINISTRATIVE CLOSING OF APPLICATION FILES**

**Recommended for closing of application files**

None

**C- 4 ACTION ON ADMINISTRATIVE CLOSURE OF TWO-YEAR INACTIVE FILES**

**Recommended for closing of inactive files**

Crystan Byzitter	Shang Chao	Charles Croney	Kimberly Deyo
Phillip Diercksmeier	Amanda Gahagan	Karen Gambrel	Walter Guse
Chris Jones	Richard Konti	Merrill Laborda	Martyn Legdon
Jennifer Leroux	Jennifer Oldham	Mi Mi Saw	Paula Sheard
Chad Taylor	Vaughnie Thomas	Tamara Tiziano	

**C- 5 ACTION ON NOTICES OF LICENSE EXPIRATIONS**

**Recommend sending notice of License Expirations to the following individuals:**

Brian Anderson	Katalina Aregullin	Angela Bethel	James Crisantiello
Mary Davis	Rosie Dominguez	Roger DuBois	Angelique Forbito
Gary Havens	Charles Holley	Brenda Hopkins	Willis Manley
Heather McNorton	Greg Sanvik	Emanuela Sirghi	Mindy Stoechr
John Thorp	Peggy Vazquez	Cindy Vu	Nicholas Wallace
Jes Wandell	Alicia Weaver		

**C- 6 ACTION ON RATIFICATION OF RENEWAL OF LAPSED LICENSES**

**Recommended to ratify licenses issued by the Executive Director to individuals who met requirements for renewal**

Gina Barba                      Sheree Gallien

### **C-7 ACTION ON RATIFICATION OF CONSENT AGREEMENTS AND LETTERS OF WARNING ISSUED**

Items listed here will be proposed documents for the Board's consideration. The Board may choose not to ratify these documents, remove them from the Consent Agenda, and place them in the Regular Agenda under Item R-2.

Stipulation and Consent Orders, and Letters of Warnings Issued, once ratified by the Board shall constitute public records which may be disseminated as formal actions of the Board.

#### **A. Decision on Accepting Proposed Consent Agreements**

None

#### **B. Decision on Accepting Proposed Letters of Warning Issued**

None

### **C -8 ESTABLISH DATE AND TIME OF NEXT BOARD MEETING**

Scheduled date of next Board Meeting

Thursday, December 15, 2011, at 9:00 a.m.

## **REGULAR AGENDA**

### **R-1 DISCUSSION/ACTION ON EXECUTIVE DIRECTOR'S REPORT**

- i. **Board Office Highlights**
- ii. **Board Staff Highlights**
- iii. **Discussion on Resume Review Committee**
- iv. **Discussion on Rule Moratorium**

### **R-2 DISCUSSION/ACTION ON ITEMS REMOVED FROM THE CONSENT AGENDA**

None

### **R-3 DISCUSSION/ACTION ON APPLICATIONS FOR LICENSURE/RENEWAL**

#### **A. Application for Licensure/Interview**

##### **1. Trevor Laird Case Number A002859-12-010151**

Mr. Laird was invited to the Board meeting and was not present. The Executive Director provided an overview of Mr. Laird's application, stating that he is eligible for licensure. After discussion, **David Sanderson** moved to grant Mr. Laird a license to practice respiratory care. **Board Chair Jeanette Kieffer** Seconded. **Jose Gonzales** voted Nay. **The motion passed.**

##### **2. Emily Rook Case Number A002864-12-010152**

Ms. Rook was invited to the Board meeting and was present. The Executive Director provided an overview of Ms. Rook's application, stating that she is eligible for licensure. After discussion, **David Sanderson** moved to grant Ms. Rook a license to practice respiratory care. **Tracy Cagan** seconded. **The motion passed unanimously.**

#### **B. Application for Licensure/Interview**

##### **1. Kimberly Osborne Case Number A002862-12-010245**

Ms. Osborne was invited to the Board meeting and was present. The Executive Director provided an overview of Ms. Osborne's application; that included a criminal offense and revocation of her previous respiratory care license. The Executive Director stated that Ms. Osborne is eligible for licensure. After discussion, Charles Ramirez moved to offer a stipulated consent agreement that includes will grant Ms. Osborne a license and place her license on rehabilitative probation. If Ms. Osborne fails to accept and sign the Consent Agreement, her license to practice respiratory care will not be granted. Jose Gonzales seconded. The motion passed unanimously.

## **R-4 CONSIDERATION AND ACTION ON INVESTIGATIONS OF POSSIBLE UNPROFESSIONAL CONDUCT**

### **1. Travis Dschaak**

**Case Number C002853-12-006577**

Mr. Dschaak was invited and present to the Board meeting. The Executive Director explained the allegations against Mr. Dschaak. Mr. Dschaak submitted a written statement that he was convicted of a misdemeanor DUI in April 2011. After discussion, **Tracy Cagan** moved to invite Mr. Dschaak to an informal interview. **Jose Gonzales** seconded. **The motion passed unanimously.**

### **2. Andrew Griffin**

**Case Number C002849-12-006648; C002851-12-006648**

Mr. Griffin was invited to the Board meeting and was not present. The Executive Director explained the following allegations against Mr. Griffin:

- Case Number C002849-12-006648
  - o Mr. Griffin submitted a written statement with his 2011 Renewal application that he was terminated from Plaza Healthcare for failing to provide a patient requested therapy.
- Case Number C002851-12-006648
  - o During the course of the investigation of Mr. Griffin's termination, it came to the attention that Mr. Griffin has two criminal traffic violations that he did not disclose to the Board office. Also, Mr. Griffin has two current warrants for his arrest for both criminal traffic violations.

After discussion, **Board Vice-Chair John O'Donnell** moved to invite Mr. Griffin to an informal interview. **Tracy Cagan** Seconded. **The motion passed unanimously.**

### **3. Donsha Masters**

**Case Number C002855-12-008005**

Mr. Masters was and present for the Board meeting. The Executive Director explained the allegations against Mr. Masters. Mr. Masters was the terminated from Plaza Healthcare for failing to respond in a timely manner for a respirator therapy intervention. After discussion, **Chuck Ramirez** moved to issue a Letter of Concern. **Tracy Cagan** seconded. **The motion passed unanimously.**

### **4. Rosa Neely**

**Case Number C002856-12-008613**

Ms. Neely was invited and present for the Board meeting. The Executive Director explained the allegation against Ms. Neely. Ms. Neely was terminated from Plaza Healthcare

for unprofessional conduct towards her co-workers. After discussion, Jose Gonzales moved to dismiss the complaint against Ms. Neely. Charles Ramirez seconded. The motion passes unanimously.

**5. Sharon Summerford**

**Case Number C002857-12-001210**

Ms. Summerford was invited and present for the Board meeting. The Executive Director explained the allegation against Ms. Summerford. Ms. Summerford was terminated from Plaza Healthcare for rude and inappropriate behavior/complaints from patients. After discussion, Jose Gonzales moved to invite Ms. Summerford to an informal interview. Charles Ramirez seconded. The motion passed unanimously.

**R-5 CONSIDERATION AND ACTION ON INFORMAL INTERVIEWS  
PURSUANT TO A.R.S. § 32-3553(G)**

**1. Dwain Northey**

**Case Number C002846-12-007409**

Mr. Northey was invited and present for the Board meeting. The Board reviewed the allegation against Ms. Berry. Kaplan College submitted a written complaint that Mr. Northey violated HIPPA laws while at a clinical site. Mr. Northey denied the allegation.

After discussion, **Charles Ramirez** moved dismiss the allegation against Mr. Northey. **David Sanderson** seconded. **The motion passed unanimously.**

**R-6 CONSIDERATION AND ACTION ON PREVIOUS BOARD ACTION  
Request for a Re-Hearing and Review**

**1. Mary E. Rub**

**Case Number C002725-11-000705, C002750-11-000705**

Ms. Rub was invited and present for the Board meeting. Ms. Rub requested the re-hearing and review. After discussion, Board Vice-Chair John O'Donnell moved to deny the request for a re-hearing or review. Jose Gonzales seconded. The motion passed unanimously.

**R-7 CONSIDERATION AND ACTION ON PREVIOUS BOARD ACTION  
Request to meet with the Board regarding a Letter of Concern**

**1. Vanessa Birts (Storto)**

**Case Number C002471-09-008739**

Ms. Birts was invited and present for the Board meeting. Ms. Birts request to meet with the Board regarding her Letter of Concern and the Board meeting minutes for the September 17, 2009 Board meeting.

After discussion, Board Vice-Chair John O'Donnell moved to go into Executive Session for legal advice from Board's Assistant Attorney General Nancy Beck. Board Chair Jeanette Kieffer seconded. The motion passed unanimously.

After further discussion, Jose Gonzales moved to amend Ms. Birts' Letter of Concern and the September 17, 2011 Board meeting minutes. Board Vice-Chair John O'Donnell seconded. The motion passed unanimously.

## **R-11 CALL TO THE PUBLIC**

Those wishing to address the Board do not need to request permission in advance. Each person wishing to address the Board will be given five (5) minutes to do so. The Board can only take action on matters listed on the agenda. Persons who wish to raise issues or concerns not on the noticed agenda should be aware that the only procedural action that can be taken is directing staff to study the matter or to schedule the matter for further discussion at a later date.

No public comment.

## **R-12 ADJOURNMENT**

Board Vice Jeanette Kieffer adjourned the meeting at 11:45 a.m., without objection

DATED this \_\_\_\_ day of November, 2011

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David Geriminsky

Executive Director